

**NOTICE OF APPEAL TO A COURT OF APPEALS
FROM AN ORDER OF A
DISTRICT COURT**

United States District Court for the Northern
District of Illinois

File Number: 08-cv-0058
Consolidated with 08-cv-1313

JAY FRANCO & SONS, Inc.,)	
)	
Plaintiff/Appellee,)	Case No: 08-CV-0058
)	
v.)	
)	
CLEMENS FRANEK,)	
)	
Defendant/Appellant.)	

CLEMENS, FRANEK,)	
)	
Plaintiff,)	
)	Case No: 08-cv-0058
)	
WALMART STORES, INC., and)	
TARGET CORPORATION)	
)	
Defendant.)	

NOTICE OF FILING

To: Please see attached Service List

PLEASE BE ADVISED that we have on April 28, 2009 caused to be filed a **Notice of Appeal**.

/s/ Mark D. Roth

PROOF OF SERVICE

I, Mark Roth, an attorney, certify that I served **Notice of Appeal**, by mailing a copy to counsels of record, by U.S. Mail postage pre-paid on or before 5:00 pm. on April 28, 2009.

/s/ Mark D. Roth

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